REMARKS

Claims 1-28 are pending.

Claims 2 and 3 are rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

The Examiner asserts that the switch device and the region discriminating unit 21 of claims 2 and 3 must be in the same figure to enable one of ordinary skill in the art to make and/or use the invention. Applicant respectfully disagrees.

Applicant submits that persons skilled in the art would be able to make and/or use the invention since the use of the switch device comes into play when adapting the claimed device for either a tandem type copying machine or a four-cycle type copying machine, which does not change the overall operation of the region discriminating unit. Thus, it is not necessary to include a figure in which both the region discriminating unit and the switch are shown because they operate independently. In imposing the artificial requirement of depiction in a single figure, the Examiner is attributing less skill to persons skilled in the art than they actually possess.

As explained in the specification at pg. 9, lines 16-24, the data sent from the color correcting unit 19 to the MTF correcting unit 23 is synchronized with the data sent from the region discriminating unit 21 to the MTF correcting unit 23. In the four-cycle type machine, color correcting unit 19 sequentially outputs the image color data in the order of cyan (C), magenta (M), yellow (Y), and black (Y) to unit 23. This means that the CCD 110 reads the original document four times (pg. 9, lines 25-30). In the tandem type machine, the CCD 110 reads the original only once and the color correcting unit 19 simultaneously transmits the image data to the unit 23 (pg. 9, line 31 to pg. 10, line 2). The claimed switching device is used to switch between a four-cycle type device and a tandem type device. However, the operation of the region discriminating unit remains the same for both devices. The switch device and the region discriminating device operate independently of one another, and thus it is unnecessary to show these two devices in the same drawing for one skilled in the art to make and/or use the invention. Applicant submits that undue

experimentation would be unnecessary to make and/or use the claimed invention. Further, Applicant points out that the burden remains on the Examiner to point out why the scope of protection provided by the claim is not adequately enabled by the disclosure (see MPEP 2164.04). The Examiner has failed to meet this burden. Accordingly, Applicant requests that this rejection be withdrawn.

Claims 1-28 are rejected under 35 USC 102(e) as being anticipated by Yoshida, U.S. Patent 6,538,769. This rejection is respectfully traversed.

Regarding claim 1, the Examiner asserts that Yoshida's elements 114 and 125 correspond to the claimed first processing means and that elements 126, 127 and 135 correspond to the claimed memory device, which is provided at a preceding stage to the first processing means to store the pixel data processed by the first processing means. Applicant respectfully disagrees. According to Yoshida, element 127 is an image composition unit which selects V, Cr and Cb data from interface 114 or editing unit 140 and performs image composition together with image data from HVC conversion unit 125 (col. 4, line 65 to col. 5, line 1). Element 126 of Yoshida is a delay memory provided to coordinate composition timing (col. 5, lines 1-2). Element 135 of Yoshida is another delay memory. However, most importantly, none of these elements can be said to be provided at a preceding stage to the first processing means (which the Examiner considers to be elements 114 and 125). This is clearly seen in Fig. 2 of Yoshida. Thus, Yoshida fails to teach or suggest the claimed memory device of claim 1.

Claim 2 recites "a switch device for switching a circuit such that said connecting means is arranged either at a preceding stage of said first processing means or between said first processing means and said third processing means." The Examiner asserts that elements 112, 113 and 134 correspond to the claimed switch. It seems that the Examiner considers that selectors 112 and 113 are located at a stage which precedes the first processing means. However, if the Examiner is considering that elements 114, 125 and 140 correspond to the claimed first processing means, Fig. 2 clearly shows that neither element 112 nor 113 are located prior to element 123, which is the first element which forms the first processing means according to the Examiner. In other words, if all

three elements (114, 125 and 140) are needed to comprise the first processing means, the switch must be located before each of these elements to be considered provided at a preceding stage, as necessitated by the language of claim 2. This is clearly not the case. Thus, Yoshida fails to teach or suggest the features of claim 2.

Claim 3 is allowable for the same reason claim 2 is allowable.

Claim 4 is allowable for the same reason claim 1 is allowable. The memory device of claim 4 stores input image data, and then this data is processed by the first processing unit. The memory devices of Yoshida do not store the input image data, but rather store data after it has already been processed. Further, none of the memory devices are located at a stage which precedes the first processing stage. Yoshida fails to teach or suggest the features of claim 4.

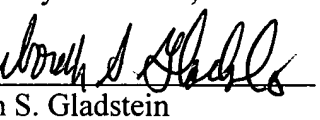
Claim 13 is allowable for the reasons set forth above with respect to claims 1 and 4. Claim 20 is allowable for the reasons set forth above with respect to claims 1, 2 and 4. Claims 27 and 28 are also allowable for reasons previously set forth above. The remaining claims are allowable at least due to their respective dependencies. Applicant requests that this rejection be withdrawn.

In view of the above, each of the claims in this application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 325772023600.

Dated: November 29, 2005

Respectfully submitted,

By 

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